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24 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

25 DAN HELLER,

No.: C09 00435 HRL MHP

26 Plaintiff,

**STIPULATION, ORDER AND JUDGMENT  
FOR DISMISSAL WITH PREJUDICE**

27 vs.

28 AOL LLC and John Does 1-10,

Defendants.

## **STIPULATION FOR DISMISSAL WITH PREJUDICE**

The parties having reached a settlement in the above-captioned action, hereby agree and stipulate that the entire action is dismissed with prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, each party to bear its own attorneys' fees, costs and expenses.

DATED: May 27, 2009.

ARI KAHAN

By /s/ Ari Kahan

Ari Kahan  
Carolyn E. Wright  
Attorneys for Plaintiff  
Dan Heller

DATED: May 27, 2009.

REED SMITH LLP

By /s/ Adaline J. Hilgard

Adaline J. Hilgard  
Mark D. Litvack  
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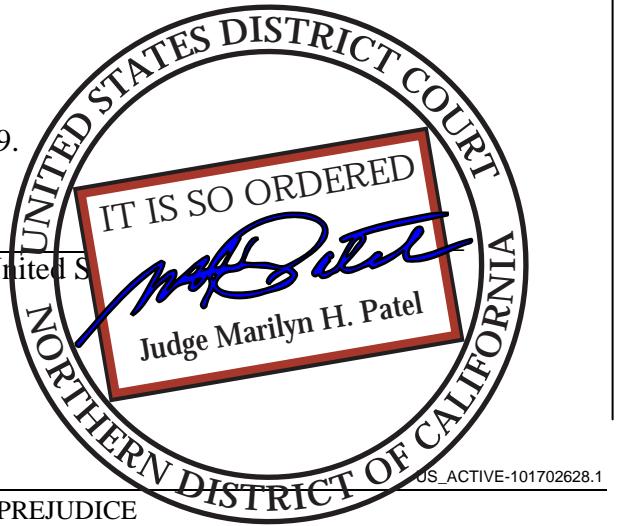
## **ORDER AND JUDGMENT**

Pursuant to Stipulation, it is hereby ORDERED and ADJUDGED that this Action is DISMISSED WITH PREJUDICE IN ITS ENTIRETY.

IT IS SO ORDERED.

DATED: 5/28, 2009

By United States



## CERTIFICATION

I hereby attest that concurrence in the filing of this document has been obtained by the above-named signatories.

REED SMITH LLP

By /s/ Adaline J. Hilgard  
Adaline J. Hilgard  
Mark D. Litvack  
Attorneys for Defendant  
AOL, LLC

REED SMITH LLP  
A limited liability partnership formed in the State of Delaware